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No. 2.

LETTERS FROM COMMODORE ALEXANDER

GILLON IN 1778 AND 1779.

(Continued from the January number.)

[4.]

Sir

As Contrary Winds & bad sailing of ye Vessel I set of for France induc'd me to take this Course in my way I have had some oppt^r of judging how Americans may be rec^d here & of what Utility this Port may be of to us, which is ye reason why I take ye liberty of addressing you also to inclose you a Packet rec^d yesterday from his Excellency ye Gov^r here for you— ye other letters I rec^d for Mr de Miraller I tho't best to inclose to his friend Mr. G A Hall who might better know where he was than you cou'd. On my Arrival here I was rec^d as all Strangers generally are that is give your Vessels what you want to prosecute your Voyage & then order you out without admitting you on shore, but finding one of my Vessels must be hove down I received my application for to Land with my Officers & on producing some Vouchers that was demanded I was admitted to land in this Village with permission to go to ye Havannah on part business only & then attended by an Adjutant 20 days has now past & ye Notre Dame returns this day— ye other Vessel is preparing & will compleat my Voyage in her if cannot obtain my principal request of which I have very little doubt tho still am positively denied.

I found my Opinion on the Experience I have of their Nation a short time will I think verify it— whereby I presume ye most of my business is over— this Port I cannot but think well calculated to lodge many Articles in that ye Continent wants in Spanish Bottoms as ye rout to here by of Abacoa (commonly called ye Hole in ye Rock) & so by ye * * * * * over & along ye Bahama Bank is too uncertain for ye British Cruisers safe for ours by whom you could order any thing that is lodg'd here by your Order from Spain as you wanted it & your Vessels could be Careen'd & completely fitted out in a few days & ye distance from here to any of ye Southern States or even to Virginia is so trifling considering ye strong Current they carry with them from here that they run if in a few days & with very little risque, but I presume permission must be first procured from Spain for this, if not already obtained, Spars, Masts, & Naval Stores will allways be acceptable here & will pay ye Vessels Expences. Pardon me for troubling your Excellency, on a matter you very likely know much better than I can inform you on but as I am Abroad it is my duty to acq^t you with any thing that I humbly conceive can be useful to America—When we are admitted free access to ye Town I am convinced we shall receive ye friendships that sundry worthy Visiter's has offer'd us & it is with pleasure that notwithstanding ye formal objections I met with I assure your Exclly that even now every prudent American that will but patiently look around he will receive more attention & assistance than any other Stranger. please present my best respects to Mess^{rs} Drayton, Matthews & Hudson & Admit me to Subscribe myself your Excellency's

Most Obed^t hble Serv^t

A Gillon

Reglé opposite to ye Havannah

Sept^r 18th 1778

To His Excellency

Henry Laurens Esq^r

President of ye Honble

the Continental Congress.

[5.]

D^r Sir

Your faithful Serv^t overtook me here. he wou'd have done it sooner but I find ye Roads so very bad that I left Hence this Morning at 8 A clock instead of 10 that I might by time make up for ye bad roads tho I left directions that I shou'd be here till 2 o' clock & expected to sleep at Bently's to Night your Letter & other dispatches shall deliver on Arrival— I shou'd not doubt your Memory or refresh it had you not permitted it in desiring me to remind you to favour me with a Letter of Access to your Consignees in Europe also for an Order of ye Loan Officer in S^o Carolina for ye first annual advances I think it is best to trouble your honour seldom therefore apply for ye whole Order at once tho' shall use it only as purchase which mode may prevent disap^t & trouble pardon me for troubling you on this Score & accept of my best thanks for your friendly interference in my behalf I most sincerely wish you every felicity & am with much truth

D^r SirYou^r most Obed^t. Serv^t.

Alexander Gillon

M^r Cullips Tavern 34 Miles from
York Town 2^d. Dec^r.

To the Honble

Henry Laurens

President of Congress.

[6.]

Sir

I did myself the pleasure to write you a few lines ye 18th Sept^r per Capt. Hall of the Notre Dame since when have been occupied in trying to compleat my business here it wou'd be the height of injustice in me if I did not Aver that every Assistance was given me here that I expected or desired and with the surest expectations of a speedy

Arrival I left this the 24th past in Company with 2 Packets and a Merchantman bound to Spain but a few hours after we was out a Gale of Wind commenced that lasted 7 days and prevented hoisting any boat out to visit our neighbors our Vessel suffered much part^r when we was on the 29th within a few minutes of being Shipwreck'd in the height of this Gale which forc'd us to cut away our Main topmast and all thereto belonging to heave 6 of our Guns overboard to clear the decks and to try to get in here but we could not thus was kept out till the 3^d Instant when we return'd almost a wreck they rec^d us with much friendship and immedly favd me with the needful to refit the Medley whereby she is now again ready to proceed once more and to morrow She with sundry vessels bound for Spain sail. I have little doubt of getting safe tho it is winter and less doubt about succeednig in Europe where I will try to purchase so as to hurry out by May— I am more and more Convinced of the Utility of this Port to America part^r to the Southern States during our present War wherefore I again assure you that every Continental or State Vessel whose Commander properly attends to the method of this place without hurry will receive every attention and find it very Convenient to refit his Vessel here for which they should have a something to repay the Advances, I am happy in having had an opportunity of well knowing what is to be done here & in having experienced such attention to particularize wou'd tedious to you thus will only say that for allowg of disbts here on acct of Notre Dame and Medley Bills have been rec^d at Par on So Carolina or pay^r in Phil^a perhaps they may fall into the hands of friend from here who is now with you, whose family has made my residence here agreeable and tho his introduction have pav'd the way for others to face better than formerly permit me therefore to crave your and Congress attention to him whilst with you or your Vicinity Nothing seems to be left undone towards me they even delivered me every American Prisoner here if anything is now wanting here it is an Agent to be appointed by you here for your Business which Sanction wou'd be the means of every American being readify As-

sisted here and no Expense to Congress the Major or Governors Adjutants now Actually are Agents for much is left to them therefore if you will permit me the recommendation I think such an Appointm^t useful and no one so properly prepared for it as the Active and I may safely say Acting Agent here Mr. Rafel de Lus Adjutant to the Governor and Major in the Kings service whose friendship not a little Assisted me but if he or any other person is appointed by you it will be necessary that he is Confirm'd by his King—Mr. Lee I presume may easily settle that & as Mr Lus holds his Post for life that he is so attached to America, so capable for dispatch I know none so fit for this important Post which if you deign to grant can do no harm but may much good the other Adjutant Don Diego de Barrera who also very much favoured me is willing to shew his Zeal by offering his service and proposes going your way wish he may be useful have craved him to Accept of a Letter to your Excellency to use in that case as you may think proper perhaps whilst I am in Europe & contracting for some Vessels may procure more if so and thereby I can serve Congress they and you may freely dispose of me as I am determined to ramsack every Corner in Europe, but will procure the Needful & tho we are long from Home it cou'd not be help'd as no Vessel sailed from here for Europe since I arriv'd here till 24th past please pres^t. my best respects to Mr. Drayton Mr Mathews and Mr Hudson, I am with all due respect

Your Excellencys
Most Ob^d. & Most humble Serv^t
A Gillon.
Havanna 16 Nov^r 1778

To His Excellency
Henry Laurens Esq^r

[7.]

Gentlemen

As I flatter myself it will give you some satisfaction to hear ye prospect of ye Navy Officers of So. Carolina I

take ye liberty to acquaint you that Capⁿ Jonier after being taken by his own Crew & carried into Plymouth got here last Aug^t with Mr. Spencer whom I intended as one of ye Marine Officers Mr Warters and Mr Doville after being taken have also got here & are intended as midshipmen all received much attention whilst in England, Capt Robeson with Mr Lindwaith, Morant and Coram arr^d. here ye 31 Dec^r in ye Snow Gustave of this Port that put in distress into ye Havana, Mr Theus a very promising Youth died with ye small pox a few days after her arrival here much do I lament his early fate as his Country woud've rec^d. much Assistance from his [blank] Albilities— I left Havanna ye 17 Nov^r. & on ye 19 Jan^r fell in with ye Count de Grasse fleet he imdly order'd a Frigate of 40 Guns to land me in ye first Port of this Kingdom I landed at Brest ye 25 Jan^r with Mr [blank] & my Secretary & got here ye 4th. past & found abt. 130 Casks of States Indigo and which will serve as a beginning, have allready engag'd for a Sum on ye same terms as they grant to their friends in their own Islands & in 2 days set of for Paris where hope to compleat & procure ye remaining sum wanted if shou'd not succeed there must accept of ye invitation I've rec^d from my friends in my Native Country Holland to go there, but have great expectations that this Govern^t may perhaps spare me ye Ships I want ready fitted and mann'd, if so I will sail soon & perhaps Assist in checking ye Progress Campbell is making to ye Southw^a as appear by English accts rec^d. here this day was it not for this what they term alarming news from Georgia & ye failure of Sundry Capital Mercantile Houses in Paris & Bordeaux I shou'd easily procure ye Needful, however I will persevere & will timely acq^t. you of my Situation, it is to be lamented that some Naval Officers was not sent on this Place 18 Months ago when this Govern^t. did not need their Vessels so much when Men was plenty & Building with Stores 3 Pc^t. Cheaper than at present Success must then have attended a proper Application by proper Officers & from what Idea I can form of ye past friendship by ye present, America would have procured a valuable Fleet at a distant Period & by keeping them together

wou'd've made America's Navy much more respectable than it now is however to me it does not appear too late yet tho it may prove somewhat dearer I formerly wrote you ye benefit that ye American Navy might receive from a free Admission into ye Port of Havanna, by Heaving down & refitting her Vessels at a trifling expence, no danger of desertion, near to annoy ye Jamaica Trade & by ye force of ye Gulph Stream cou'd allways be on ye American Coast in 7 or 8 days tho I rec^d. every attention there it may not be improper for Congress to Apply to Spain to send out positive orders to their Governors at their Ports in Hispaniola, in Porto Rico & in ye Islands of Cuba to admit all their Continental Vessels, all State Vessels & may be added if you judge proper all American Vessels into any of their Ports, Bays or Harbours there with ye privilege of ye Port & if possible it wou'd much facilitate this business if Congress was to Appoint an Agent, Consul or Factor on each of these Islands—Shou'd it not suit Congress to cause this appreciation to be made for their Navy well do I know ye value of such permission to ye S^c. Carolina Navy thus hope it will be made for our Navy to you worthy Sirs do I commit a matter of so much moment to America in General & to your Country in particular tho shall confer with Mr. Franklin thereon to him & your other friends must I refer you for what is passing in Europe as they by their longer residence can better judge of its validity. Permit me to request you will be pleased to inform me whether any Line is drawn by Congress for ye Continental & State Navy Officers conduct part^r. if they meet or are to act together it might be of Service in General for ye line to be drawn believe me I have no Idea in this Service but doing my utmost to serve ye glorious Cause we are so long & advantageously embark'd in, but I wish to see all Clogs remov'd as doubts will certainly and perhaps prejudiciously Arise wherever these Officers meet at Sea or Abroad your Opinion on this with copies of every resolve of Congress relative to their Navy will be thankfully rec^d. by me & will prove of use to ye Navy, please also furnish me with ye General Signals that Congress has or may give for their Continental

Ships to know each other at a distance or at Night so as to prevent any chasing each other on shore or Erroneous Engagements at Night & many other Accidents that may happen for want of proper Signals, because if I knew their Signals I crave their permission to use them on b^a. ye Navy under my direction till I return to America when other Plans may be adopted, please also favour me with ye Continental Navy Uniform & colours for my Guide with such other observatins on Naval Matters as you think may prove Essential your letters to me directed under Cover to Mess^{rs}. H. L. Chaurand freres Mercht^{rs}. here will get safe to hand after landed as perhaps Mrs. Gillon may be in or near Philadelphia, you will much oblige me in such case to open ye out side Packet directed for His Exlly of So Carolina & thereout take a Letter for Mrs Gillon sending it to her safely & sealing up ye other Package which I commit to your care to be sent to his Exclly by ye first Oppty. please Present my respects to Mr. Penn if with you & have wrote on his business shall write him when have ye reply, respects also to other friends & be assured I am with all due respect

Your Most Obed^t. Serv^t.

A. Gillon

Nantes 5th March 1779

The Honble Delegates representing
ye State of So Carolina in ye Honble
ye Continental Congress at Philadelphia.

(To be continued in the next number of this magazine.)

ABSTRACTS FROM THE RECORDS OF THE
COURT OF ORDINARY OF THE PROVINCE
OF SOUTH CAROLINA, 1692-1700.

(Continued from the January number.)

Will of Henry Symmonds, of Charles Town, vintner, proved before Governor Blake, March 13, 1695, gave wife, Frances, all of his real estate, servants, slaves, and all other property whatsoever within the province of Carolina or elsewhere; appointed friend, Capt. Robert Daniell, to be executor in trust in behalf of his wife, Frances, whom he appointed sole executrix. Witnesses: Richard Codner, Matthew Bee, William Williams, John Givin, George Bedon, William White, John Griffiths. Recorded by John Hamilton, D. S., April 6, 1695. (Page 200.)

May 9, 1695, Mrs. Elizabeth Quintyne, widow, relict and administratrix of Richard Quintyne, gentleman, deceased, John Beresford and Charles King executed their bond to Governor Blake for Mrs. Quintyne's faithful execution of her trust. Witness: John Hamilton. (Page 201.)

May 10, 1695, Governor Blake directed Mrs. Quintyne to administer on her husband's estate, at the same time directing Patrick Stewart, Philip Buckley, George Smith, John Padgitt and Patrick Scott to appraise and make an inventory of the said estate. (Page 202.)

Will of Richard Quintyne, of Berkeley County, gentleman, made January 26, 1695, and proved before Governor Blake, April 27, 1695, gave wife, Elizabeth Quintyne, the profits of the plantation whereon he then dwelled in Berkeley County, or elsewhere in the said province or county, and her accommodation in his dwelling house thereon, together with an allowance for housekeeping as in his lifetime; gave daughter, Martha, fifty pounds sterling, to be paid her

within two years after her marriage or the birth of her second child; gave daughter, Mary, £50 to be paid her two years after her marriage; gave daughter, Elizabeth, her maintenance and clothing and an accommodation on his plantation during her lifetime if she should remain "soe impotent as she is, butt if it shall please God to bless her with perfect health strength of body and minde I give her fifty pounds sterld to be paid her two years after her marriage"; gave daughter, Jane, £50 to be paid two years after her marriage; gave son, Henry Quintyne, when he should reach the age of twenty-one years, all of his estate, both real and personal, not otherwise bequeathed, he paying part, proportionately, of legacies with administratrix, and whatever he should receive from the estate of his uncle, Richard Quintyne, of London, goldsmith, deceased; gave remainder of estate to wife, Elizabeth, whom he appointed sole administratrix of his will and overseer and guardian of his children during their minority; desired John Beresford to be assistant to his wife. Witnesses: Thomas Nairne, John Beresford, Patrick Stewart, John Padgitt. Recorded by John Hamilton, D. S., May 2, 1695. Letters of administration, with the will annexed, and warrant of appraisement were granted by Governor Blake to Mrs. Elizabeth Quintyne, May 10, 1695. (Page 203.)

May 27, 1695, Governor Blake directed Daniel Lindrey to administer on the estate of Judith Francis, late of London, spinster, deceased, at the same time directing John Alexander, George Logan, Alexander Parris, Edmond Medlicott and Charles King to appraise and make an inventory of the said estate. (Page 204.)

The same day Daniel Lindrey, merchant, administrator of that part of the estate of Judith Francis, late of London, spinster, deceased, in the province, Edmund Bellinger, gentleman, and William Smith, vintner, all of Charles Town, executed their bond to Governor Blake for Lindrey's faithful performance of his trust. Witness: John Hamilton. (Page 205.)

May 28, 1695, Thomas Bill, planter, executor of the will of Elizabeth Keeling, widow, deceased, Gilbert Ashley and

Matthew Bee executed their bond to Governor Blake for Bill's faithful performance of his trust. Witness: John Hamilton. (Page 206.)

Will of George Keeling, of Charles Town, Berkeley County, province of Carolina, made July 17, 1694, and proved before Governor Blake April 25, 1695, gave daughter, Mary Bill, wife of Thomas Bill, the best heifer he had; gave wife, Elizabeth Keeling, all the rest of his property so long as she should remain a widow, but in case she should remarry then his daughter, Mary Bill, was to have one house and lot; appointed wife sole trustee and executrix. Witnesses: Dr. Atkin Williamson, Elizabeth Fuz, Roger Hunsden and Thomas Bertinshaw. Recorded by John Hamilton, D. S., May 24, 1695. (Page 207.)

Will of Elizabeth Keeling, of Charles Town, widow, made the 10th day of Xber, 1694, and proved before Governor Blake, April 25, 1695, gave friend, Mrs. Margaret Rivers, forty shillings, her best pettycoat, her Bible, her best hood, a new paid of shoes and a silver bodkin; gave friends Gilbert Ashley and Elizabeth Popell each a gold ring of ten shillings value each; gave son-in-law, Thomas Bill, and Mary, his wife, her two lots situated in Charles Town, her Indian woman, Flora, all her cattle and all the rest of her goods whatsoever, directing that at the death of either her son-in-law or her daughter that the Indian woman should be set free; appointed son-in-law and daughter executor and executrix. Witnesses: Willian Chapman, Findla Marten, David Ferguson. Recorded by John Hamilton, D. S., May 24, 1695. Warrant of appraisement granted by Governor Blake to Thomas Bill, executor, May 28, 1695. (Pages 208-209.)

July 17, 1695, Elizabeth Schenckinh, widow, administratrix of the estate of Bernard Schenckinh, deceased, son of Bernard Schenckinh, Esq., late of the province, deceased, William Smith and Peter Guerard executed their bond to Governor Blake for Mrs. Schenckinh's faithful execution of her trust. Witness: John Hamilton. (Page 210.)

The same day Governor Blake directed Mrs. Eliza-

beth Schenckings to administer on the estate of Bernard Schenckings, son of Bernard Schenckings, Esq., at the same time directing John Alexander, George Logan, Charles Basden, Edward Rawlins and Charles King to appraise and make an inventory thereof. (Page 211.)

August 13, 1695, John Alston, gentleman, Mrs. Elizabeth Harris, alias Alston, John Guffell and Thomas Hubbard, all of Berkeley County, executed their bond to Governor Blake for Mrs. Alston's faithful performance of her trust as administratrix of the estate of John Harris, gentleman, late of the province, her former husband. Witness: John Hamilton. (Page 212.)

March 14, 1694-5, Peter Guerard, Peter LaSalle and Isaac Callibeuf proved, before Paul Grimball, their inventory and appraisement of the estate of Louis Perdriau. Recorded by Charles Odingsells, Deputy Secretary, August 22, 1695. (Page 213.)

March 21, 1694-5, William Bower and Lewis Price proved, before Paul Grimball, their inventory and appraisement of the estate of Thomas Moore. Recorded by Charles Odingsells, Dep. Sec., August 22, 1695. (Page 214.)

February 21, 1694-5, George Logan, Thomas Barker and Thomas Rose proved their inventory and appraisement of the estate of Richard Phillips before William Smith. Recorded by Charles Odingsells, D. S., August 23, 1695. (Pages 214-216.)

April 20, 1695, Samuel Langly, Ambr. Denison, Edward Drath and Robert Collings proved their inventory and appraisement of the estate of Thomas Greatbeach before Robert Gibbes. Recorded by Charles Odingsells, D. S., August 23, 1695. (Pages 216-217.)

May 30, 1695, John Hill, John Smith and John Frowman made an inventory of the "Goods Chattles & Cattle of Elizabeth Keeling widd who deced January ye 14. 1693-4" and the next day they proved it before Paul Grimball. Recorded August 23, 1695, by Charles Odingsells, D. S. (Pages 217-218.)

July 29, 1695, William Ballard, Edward Loughton and John Collings appeared before Gilbert Ashley and proved

their inventory and appraisement of the estate of John Parker, deceased. Recorded by Charles Odingsells, D. S., August 23, 1695. (Pages 218-219.)

June 15, 1695, Alexander Parris, Charles King and Edmund Medlicott made an inventory and appraisement of the estate of Judith Francis, spinster, and proved the same before Gilbert Ashley. Recorded August 23, 1695, by Charles Odingsells, Dep. Sec. Charges against this estate were recorded by Odingsells October 24, 1695. (Page 220.)

July 23, 1695, Capt. Charles Basden, Edward Rawlins and George Logan proved their inventory and appraisement of the estate of Bernard Schencklingh, son of Bernard Schencklingh, Esq., before William Hawett, Recorded by Charles Odingsells, D. S., August 23, 1695. (Page 221.)

July 13, 1695, William Popell, George Bedon and John Birde appeared before Gilbert Ashley and proved their inventory and appraisement of the estate of Joseph Pendarvis. Recorded by Charles Odingsells, D. S., August 24, 1695. (Pages 222-223.)

May 27, 1695, Richard Ireland, William Bower and Thomas Sacheverell appeared before Paul Grimball and proved their inventory and appraisement of the estate of Joseph Edwards, of Edisto Island, "lately deced Novembr: 10th Anno Dmi 1693." Recorded by Charles Odingsells, August 24, 1695. (Page 224.)

January 26, 1694, Isaac LeGrand and Rene Ravenel appeared before J. Boyd and proved their inventory and appraisement of the estate of Arnaud Bruneau de la Chabociere. (Pages 224-226.)

The will of George Baudoin, written in French. (Pages 226-227. As this will has been published in full, with a translation thereof, in *Translations of the Huguenot Society of South Carolina*, No. 10 (1903), pp. 48-51, no abstract is given here.)

The will of Antoine Prudhomme, written in French. (Page 227. Printed in full, with a translation, in *Translation of the Huguenot Society of South Carolina*.)

July 19, 1696, Elizabeth Morgan, Joseph Ellicott and James Young executed their bond to Governor Archdale

for Mrs. Morgan's faithful performance of her trust as administratrix of the estate of Richard Morgan. Witness: Charles Odingsells. (Page 228.)

July 27, 1696, Governor Archdale appointed William Capers administrator of the estate of John Bull, late of the island of Jamaica, at the same time directing Samuel Williamson, Eph. Wingood, Humphrey Primatt, Henry Gill and Joshua Wills to appraise and make inventory thereof. (Page 229.)

January 18, 1695-6, John Lebas, Henry Le Noble and Peter Guerard executed their bond to Governor Archdale for Lebas's faithful performance of his trust as administrator of the estate of James Dugue, late of Charles Town, deceased. Witness: Charles Odingsells. (Page 231.)

On the same day appraisers were appointed for said estate, with directions to make an inventory thereof. (Page 232.)

August 4, 1696, a warrant of appraisement for the estate of Richard Morgan, deceased, was given to Elizabeth Morgan. (Page 232.)

January 18, 1695-6, Governor Archdale directed John Lebas to administer on the estate of James Dugue. (Page 234. Page 233 is blank. The pagination here jumps to 243.)

March 20, 1695-6, John Barksdale, John Boone and Edward Loughton executed their bond to Governor Archdale for Barksdale's faithful performance of the trust of administrator of the estate of Judith Francis. Witness: Charles Odingsells. (Page 243.)

March 18, 1695-6, Governor Archdale directed John Barksdale to administer on the estate of Judith Francis, and on June 11, 1696, Barksdale made his inventory of the said estate. Recorded June 12, 1696, Charles Odingsells, Deputy Secretary. (Page 244.)

July 9, 1696, Job Howes, John Beresford and Ralph Izard executed their bond to Governor Archdale for Howes's faithful performance of the trust of administrator of Benjamin Wildy. Witness: Charles Odingsells. (Page 245.)

July 27, 1696, William Capers, Samuel Williamson and

Ephraim Wingood, executed their bond to Governor Archdale for Capers's faithful performance of the trust of administrator of the estate of John Bull, late of Jamaica. (Page 246.)

February 22, 1696-7, Anna King, Simon Valentijn and Richard Bellinger executed their bond to Governor Blake for Anna King's faithful performance of her trust as administratrix of the estate of Charles King, deceased. Witness: Charles Odingsells. (Page 248. Page 247 contains the last half of a deed the first half of which is recorded on page 286.)

On the same day Anna King was granted letters of administration on the estate of Charles King, and Charles Basden, Edward Rawlins, Alexander Parris, Richard Bellinger and Simon Valentijn were directed to appraise and make an inventory of the said estate. (Page 249.)

February 26, 1696-7, Andrew Vetch, Joseph Allison and Henry Spry executed their bond to Governor Blake for Vetch's faithful performance of the trust of administrator of the estate of John Williams, deceased. Witnesses: James Moore and Henry Wigington. (Page 250.)

January 30, 1699-1700, Sarah Rhett, Capt. Job Howes and Capt. Thomas Smith executed their bond to Governor Blake for Mrs. Rhett's faithful performance of her trust as administratrix of the estate of Jonathan Amory, merchant, deceased. Witness: Henry Wigington. (Page 251.)

The same day Governor Blake directed Mrs. Sarah Rhett, "wife of Capt William Rhett of Charles Town", to administer on the said estate, reciting that the said Jonathan had constituted his wife, Martha, to be his executrix during her lifetime, at her death to be succeeded by his sons, Thomas and Robert, and that said Martha, before dying, appointed said Sarah executrix and her infant son, Robert, executor, providing for the education of her children, Robert, Sarah and Ann. He also directed Capt. Alexander Parris, Dr. Charles Burnham, John Bird, William Gibbons, Lewis Pasquereau and Peter Guerard to appraise and make an inventory of the estate. (Pages 252-253.)

February 5, 1699-1700, letters of administration with the

will annexed were granted to Elisha Prioleau on the estate of Mary Banval, for the use of John and Susannah Bonnell, son and daughter of Daniel Bonnell and Mary, his wife, deceased, executors of said Mary Banval, and Augustine Memine, Elias Bissett, Peter Chevalier, Daniel Durousseau and Peter Fileaux, were directed to appraise and make an inventory of the said estate. (Page 254.)

January 30, 1699-1700, Governor Blake directed Mrs. Sarah Rhett to administer on the estate of Thomas Amory, deceased, and at the same time directed her to administer also on the estate of Ann Amory. (Page 254.)

July 14, 1698, Governor Blake directed Elizabeth Baker to administer on the estate of Richard Baker, deceased, at the same time reciting that Benjamin Waring, Gabriel Glaze, John Cattell, Thomas Butler and Richard Warner had been directed to appraise and make an inventory thereof. (Page 255.)

On the same day Elizabeth Baker, John Buckley and Simon Valentijn, merchants, executed their bond to Governor Blake for Mrs. Baker's faithful performance of the trust of administratrix of the estate of Richard Baker. Witness: Henry Wigington. (Page 256.)

July 23, 1698, Governor Blake directed George Logan to administer on the estate of John Sellsby, late of the island of Providence, at the same time reciting that Col. Thomas Cary, Capt. George Smith, Alexander Parris, Joseph Crosskeys and Lewis Pasquereau had been directed to appraise and make an inventory of the estate. (Pages 256-257.)

On the same day George Logan, George Dearsley and William Smith, merchants, executed their bond to Governor Blake for Logan's faithful performance of his trust as executor of the estate of John Sellsby. Witness: Henry Wigington. (Pages 257-258.)

June 20, 1698, Governor Blake directed John Birde and Mary Perriman to administer upon the estate of William Perriman, deceased, at the same time reciting that direction had been given to Capt. Collins, Robert Hall, James Kennedy, Thomas Ferguson and Daniel Donevan to appraise and make an inventory of said estate. (Page 258.)

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July 25, 1698, Mary Perriman, John Birde, Capt. John Collins and Thomas Perriman executed their bond to Governor Blake for Mrs. Perriman and John Birde's faithful execution of their trust as administrators of the estate of William Perriman. Witnesses: Henry Wigington and Patrick Martin. (Pages 258-259.)

THE LUXEMBOURG CLAIMS.

BY D. E. HUGER SMITH.

THE so-called Luxembourg Claims against the State of South Carolina arose out of the disastrous career of the frigate *South Carolina*,¹ held by that State under a treaty or contract, made in Paris on 30th May, 1780, between Alexander Gillon, Commodore of the Navy, acting for the State, and the Chevalier Anne Paul Emanuel Sigismond de Montmorenci de Luxembourg.

The history of the great house of Montmorenci is that of France, and few pages of the annals of that kingdom can be found which do not tell of their services to King and country and of their blood shed on battle-field or scaffold. In 1627 François de Montmorenci, Comte de Bouteville, and his friend and second, Comte des Chappelles, lost their heads for the infraction of the recent edicts against duelling in the celebrated combat with the Marquis de Beuvron of three on each side, when the Marquis de Bussy d'Amboise was left dead on the field. The posthumous son of the unhappy Bouteville was François Henri de Montmorenci, who commenced his illustrious career as Aide-de-Camp to his kinsman, the famous Prince of Condé, and died in 1695, a Duke and a Marshal of France. His wife was the heiress of the great house of Luxembourg, and he joined her name and arms to his own. At the outbreak of the American Revolution the great-grandson of the Marshal was Duke of Luxembourg and was named Charles Anne Sigismond. He was born in 1721 and died in 1777. His two sons and a grandson appear in the history of these claims. Of these, the elder was Anne Charles Sigismond de Montmorenci-Luxembourg, Duke of Luxembourg after the death of his father in 1777. He died in Lisbon an exile in 1803, and was succeeded by his son Charles Emanuel Sigismond, who was Duke of Luxembourg when his late uncle's claim was finally

¹See S. Ca. Hist. and Gen. Mag., Vol. IX, p. 189.

settled in his favor. This uncle was the Chevalier de Luxembourg of this history. In his early life he is said to have served in the French Navy, but later, as Prince of Luxembourg, to have commanded a company of the Garde du corps, which commission he held in "survivance" of his kinsman, the Prince de Tingri.

It is impossible to follow in minute detail the efforts of the State to adjust the claims that arose out of the short and disastrous career of the frigate *South Carolina*. Many of these were promptly filed and submitted to various committees of the Assembly. On 21st April, 1783, Govr. Guerard transmitted to the Minister Plenipotentiary of his Most Christian Majesty the report of a joint committee on the subject, and on 9th October, 1783, the same Governor seems to have proposed to the Prince of Luxembourg that the matter should be settled by a law-suit, or by a "Reference to Individuals to meet in this State." Perhaps it was in response to this suggestion that Dr. Edward Bancroft arrived in Charleston² on 6th February, 1784, vested with full powers from the Prince to prosecute his claims. Dr. Edward Bancroft, "Doctor in Physic, Fellow of the Royal Society of London, and corresponding Member of the Royal Society of Medicine in Paris," has left behind him a mystery as yet unsolved—was he at the same time the confidential friend and agent of Franklin and a spy in the employ of the British Ministry? This has been variously answered. The historian Bancroft says of him that he "accepted the post of a paid American spy to prepare himself for the more lucrative office of a double spy for the British Ministers."³ On the other hand, Wharton, after a full discussion of all the known facts, leaves the question still a mystery, but inclines to exculpate him, partly because otherwise there would remain grave imputations on the sagacity and vigilance of Franklin, Vergennes, John Paul Jones, and in a minor degree of others.⁴ A sketch of Bancroft's life may

²The name of the chief city of South Carolina was changed from Charles Town to Charleston by Act of Assembly in 1783.

³See Bancroft, edition of 1888, vol. V., p. 17.

⁴See Wharton, Diplomatic Correspondence of the American Revolution, Vol. I., section 196.

be found in the British Dictionary of National Biography. In this may be noticed a statement that he was a friend of Franklin, and had published in 1769 an able tractate in defence of the liberties of the American Colonies; but there is an interesting absence of anything whatever to show his prominence in American diplomatic history. The selection by Luxembourg of Franklin's friend, Dr. Bancroft, as his agent in this business may have been due to his (Bancroft's) previous knowledge of it, and should not be ascribed to any continuing interest in the matter on the part of Franklin.

Dr. Bancroft, on 16th Feb., 1784, presented to both houses of the Legislature memorials on behalf of the Prince, in consequence of which a joint committee was appointed to which he submitted the following claims against the State and against Alexander Gillon, jointly and severally;

1st, for the fourth part of all prizes taken by the *South Carolina* and other benefits with interest;

2nd, for the sum of 300,000 livres tournois with interest, due in consequence of the capture of the ship;

3rd, for an indemnification for the employment of the ship against the Island of Providence;

4th, for an indemnification for the loss of eleven months, while the ship remained at the Texel beyond the time stipulated for her departure.

In addition he gave notice of a further claim against the State and Commodore Gillon for sixteen thousand eight hundred and fifty-seven livres, eight sols, and seven deniers tournois, expended at Teneriffe by the Consul of France for the maintenance of a number of sick landed there by Gillon. It is noticeable, in the light of later developments, that this last claim seems to have been made by the French Government primarily on the Prince. On 19th March, 1784, this Committee reported a proposition on the part of Dr. Bancroft that these claims should be submitted to the arbitration of those gentlemen who had represented the State in Congress, or a majority of them. This proposition was accepted by both houses.

This board of arbitration met on 29th March at the State House in Charleston, and selected as their Chairman

the Hon. John Rutledge, late Governor of the State. The arbitrators took into consideration: 1st, the claim for detention in the Texel; 2nd, the claim respecting the Providence expedition; 3rd, the claim for a fourth part of the prizes; 4th, the claim for the loss of the ship. The hearing was closed on 6th April, and the arbitrators met on the 8th. On the next day Dr. Bancroft was told in a friendly way by one of the arbitrators that the general principles of the award had been settled, and that they had unanimously agreed to admit the claim for the loss of the ship and for the share of the prizes, and also for the detention of the ship from 21st September, 1780, until 17th December following. On the other hand, he was told that they had unanimously condemned the Prince to pay damages to the State for detention from 17th December, 1780, to 8th June, 1781, on which latter day the troops had arrived on board; further, that the arbitrators had also, though not unanimously, condemned the Prince to pay damages for the detention from 8th June, 1781, until 7th August, 1781; that thus a balance of 146 days for detention had been made against the Prince; and lastly, that Mr. Rutledge and Mr. Gervais had undertaken to make out an account upon these principles, which would be presented on the Tuesday following.

Thereupon on 9th April, 1784, Dr. Bancroft addressed to Mr. Rutledge a letter, declaring that he could not "think the proposed award conformable either to the Evidence delivered to the Arbitrators, or to any Principle of Reason or Justice", and containing a long further argument to that effect. On 12th April Mr. Rutledge wrote that an absence from town had delayed his acknowledgment of the receipt of this letter, which, however, he would lay before the arbitrators at their next meeting. A reply from Dr. Bancroft of the same date re-asserted the title of the Prince to an allowance for detention after the troops were actually on board, which part of his claim, he said, had never been disputed "until the last Day of the Hearing, when a new Account had been irregularly produced, but without the smallest Attempt, at least in my (his) Hearing or Presence

to support it by any Kind of Evidence or Reason whatever, excepting one transient suggestion by the Commodore, importing that this last Detention had been the Consequence of his former Embarrassments, and of his contract with Colonel Laurens".

On 13th April Rutledge wrote that the arbitrators were unanimously of the opinion that Bancroft's letters of the 9th and 12th were of such a nature as to render it impossible to proceed further in the case. Nevertheless he took occasion to inform Dr. Bancroft that neither Commodore Gillon nor any other person had been with them at any time during the progress of the arbitration, except when he (Dr. Bancroft) had been present, nor had any evidence or reasoning been offered to them in his absence. Dr. Bancroft then on 17th April wrote to the Governor an ingenious assumption that the action of the Legislature in authorizing the arbitration had settled the times and place of payment, and that the amount only of what was due to the Prince remained to be ascertained. The Governor curtly replied that this letter, as well as those passed between Dr. Bancroft and the arbitrators, would be laid before the Legislature at the next sitting. Bancroft soon after left Charleston.

What must strike the reader of these proceedings are the curious insolence shown by Dr. Bancroft and these facts: 1st, that the claim for the loss of the ship was formulated in the name of the Prince, as by the treaty, and not in that of the King of France as its owner; 2nd, that no claim was made by the Prince in behalf of the legionaries, who yet within a few years obtained in Paris a judgment against the Prince.⁵

It would be well here to recall to mind, for comparison with the dates in the history of these claims, those marking the progress of the French Revolution.

On 7th May, 1789, the States General met and soon declared itself a National Assembly.

On 14th June, 1789, the Bastille was destroyed, and then

⁵Dr. Bancroft's case is given in full in Series 3, Vol. 3 of Wm. Loughton Smith's Collection of Pamphlets in the Charleston Library.

commenced the emigration of the Princes of the blood and of the nobility.

On 20th September, 1789, a new constitution was assented to by the King.

On 6th October, 1789, the mob of Paris attacked the Palace of Versailles and carried the King in triumph to the Tuileries in Paris, where he was thenceforth practically a prisoner.

On 22nd September, 1792, the Republic was decreed.

On 21st January, 1793, the King was guillotined.

On 29th January, 1795, Robespierre was executed.

On 27th October, 1795, under a new constitution, the Directory took over the executive power.

In November, 1799, occurred the coup d'état which placed Bonaparte in power as First Consul.

And on 3rd May, 1804, Napoleon Bonaparte was created Emperor.

In South Carolina the desire to settle these claims against the State did not cease with the departure of Dr. Bancroft, for by resolutions of 11th and 21st May, 1786, the Legislature liquidated the amount and payments were made amounting to £191-3/10 on 17th December, 1788. But on 12th October, 1787, the Prince of Luxembourg executed in Paris a power of attorney in favor of Ferdinand Grand, Dr. Bancroft, and John Browne Cutting, with a power of substitution, and on 28th October, 1788, an agreement was signed between Dr. Bancroft and Cutting under the terms of which Cutting was to settle the whole business and to receive a commission of 2 1/2%, if completed within a certain period, and of 3%, if later. Thereupon in 1789 Cutting appeared in Charleston as agent for the Prince.

Through Mr. Cutting's exertions a settlement was effected under date of 19th January, 1789, under which the debt was to be funded with interest at 5% from 7th September, 1785, to 13th March, 1789, when principal and interest were to be consolidated, thereafter drawing 7% on whole amount.

About this time the Prince of Luxembourg left France, and, under the severe law in reference to the emigrant

nobles, his property there was confiscated. He died in Switzerland on 15th June, 1790, intestate, but previously, at some time in 1788-89, judgments had been obtained against him in France in favor of the three classes of legionaries. Class I consisted of those who served on the *South Carolina*; Class II was called the "India division," and Class III contained those who took part in the invasion of Jersey. After the death of the Prince the agents of the legionaries had attempted to pursue in France the estate of the Prince, and a curator had been there appointed, against whom the legionaries had entered judgment. In the course of these proceedings it was asserted that procurators for the Duke of Luxembourg and the Marquise de Serran, brother and sister of the decedent, had in their name renounced the inheritance as more onerous than profitable. These said relatives were then in exile, having lost by confiscation all their property in France. The Duke was residing in Portugal, and the Marquise in London. Apparently the only assets of the estate of the Prince were his claims against South Carolina.

We have found no record of the formulation up to 1794 of a direct claim upon the State by either of the successive French Governments. It is, however, possible that one was made. A most interesting communication or note from the French Consul to the authorities of the State, written in 1797, shows the attitude of that Government at that date. From it the following has been extracted and translated into English:

"The debt of Carolina to France is of two sorts: The one is the 'price of a vessel called the 'Indian', the use of which for three years 'had been obtained by the Prince of Luxembourg, and ceded by him 'to the State of Carolina, then represented by Commodore Gillon.

"But, as attorneys of the Prince and later of his heirs have filed 'claims as to the ownership of this vessel, it is natural that the State 'of Carolina should remain in possession of these funds until a competent tribunal, having taken cognizance of the different claims, shall 'have recognised the undeniable title of the French government."

The other debt treated of in this "note" was for the value of the "*fluttes la Truite et la Bricole*" and for certain munitions of war and equipments sold to the State by France, partially offset by value of supplies and provisions furnished by the State to the squadron and army of Count d'Estaing

during the short campaign ended by the disastrous defeat at Savannah in 1779. It will be remembered that the *Truite* and the *Bricole* were a part of the fleet commanded by Commodore Whipple, which shared the fate of Charles Town when that place fell to Sir Henry Clinton in 1780.

Also it may be possible that a direct claim on the State may have been made by agents of the legionaries prior to 1802. Those curious about these details may perhaps find them in the archives of the State in Columbia. But the legionaries were during all this period seeking their remedy by establishing in the French Courts claims against the Prince and his estate as before stated; and these, we will see later, were followed up by proceedings in Charleston against that estate both in the Circuit Court of the United States and in the Court of the Ordinary.

In this latter Court, on Nov. 12th, 1794, a citation was granted to John Browne Cutting, of Charleston, gentleman, to administer as principal creditor on the estate and effects of Anne Paul Emanuel Sigismond de Montmorency Luxembourg, late of Paris, gentleman, deceased; and on 1st December, 1794, Mr. Cutting appeared. Then ensued a most interesting and remarkable incident. This was an attempt on behalf of the French Government to assert for that country what is today called an ex-territorial jurisdiction. D. A. Hall, Esq., (Dominic A. Hall—enrolled an attorney at Charleston 1789) appeared as proctor for the French Consul and excepted to the jurisdiction of the Court, contending that, under the convention of 14th November, 1788, between France and the United States, this power was vested solely in the French Consul, and that, albeit the intestate had not died within the Consulate, his property lay there, thus bringing the case within the spirit and intention of the convention. The Ordinary, Charles Lining,* once an officer of the Continental Line of South Carolina, promptly and in decided terms ruled against this contention, which to an American of this century must seem a startling one.

*Charles Lining—enrolled an attorney at law 1774—Captain Continental Line of So. Co.—Prisoner at fall of Charleston 1780—Ordinary 1783-1812.

Thereupon Thomas Bee, Esq.⁷ went upon the stand and gave a sketch of the matter, as it had been brought to his attention officially as a delegate to the Continental Congress. Mr. Bee further expressed his constant belief that "all the benefits of the treaty (including the payment of 100,000 livres) were solely to accrue to the Prince."

Then Mr. Cutting, having produced his powers and contract for commissions, &c., alleged his services since 1789 in the matter, for all of which he had never received any compensation, and claimed that he was thus a substantial creditor. In reply Mr. Hall claimed that the ship was the property of the King, who therefore was entitled to the chief part of the funded debt and was the principal creditor; and that, this property being now vested in the French Republic, the administration should be granted to the Consul. The Ordinary decreed in favor of Mr. Cutting on the grounds that the Prince clearly had an interest in the estate; that the question as to what part might belong to the Republic of France was a matter for judicial determination and could be ascertained by a suit in the Federal Court; and that Mr. Cutting had rendered great services in time and money. Mr. Cutting qualified on 10th December, 1794, his sureties being James Heyward, planter, and William Crafts, merchant. During the same month Mr. Cutting filed an inventory, in which it was recited that there was no property belonging to this estate, except a debt due by the State of South Carolina, said to be subject to a claim by the Republic of France. The principal was stated as £9,856.11/6 and interest from 14th March, 1789, to 14th December, 1794, at 7%—£3,967.5/2, making a total in sterling of £13,323.16/8.

After the lapse of nearly four years Mr. William Crafts on 27th November, 1798, petitioned the Court for relief as surety of John B. Cutting, alleging that he had been alarmed by efforts made by Mr. Cutting to withdraw from the State the debt due by the State contrary to engagement made with petitioner, and also alleging that Mr. Cutting was a "transient person". On 30th November a citation was granted

⁷Thomas Bee—Continental Congress 1780-82; U. S. District Judge 1790-1801.

to Crafts to cite Cutting to show cause why this relief should not be granted, and also a special citation at the instance of Montmorency, Duke of Luxembourg, brother of the late Prince, to cite Cutting to show cause why his administration should not be revoked. And on 10th December, 1798, Cutting assenting, his administration was revoked, and letters granted to said William Crafts, whose sureties were Nathaniel Heyward, planter, of St. Bartholomew's, James Miller, Thomas Ogier and Ebenezer Coffin, all of Charleston, merchants, and the estate was estimated not to exceed \$64,000. Here matters in the Ordinary's Court rested until March, 1807.

Meantime the parties in interest had not ceased to press upon the State their demands. We cannot follow in detail the efforts of the State to settle the conflicting claims, but the salient facts will be found recited in the later proceedings in the Court of the Ordinary and in the Acts of Assembly. On 18th May, 1807, the Ordinary granted a citation to Romain Marie Dauthereau to cite William Crafts to show cause why his administration should not be revoked. With Crafts appeared Timothy Ford,⁸ Esq., as proctor, and with Dauthereau William Drayton⁹ Esq.

Dauthereau asked this revocation on the ground that the relatives of the Prince, in whose behalf Crafts administered, had renounced title to the estate in favor of certain creditors represented by him, and, as their agent, he now applied for the administration. In support of this he exhibited the Duke's renunciation of inheritance, dated 16th December, 1790. Mr. Ford objected that this renunciation was by an agent of an attorney, and that the original power had not been produced; and further, that in any case the renunciation applied only to property in France and not in the United States.

⁸Timothy Ford—enrolled an attorney 1786—a native of New Jersey—wounded at Battle of Springfield 1780—President of Charleston Library Society, &c. (O'Neill).

⁹William Drayton—enrolled an attorney 1797—Lieut.-Col. and Colonel U. S. Army 1812-15—Recorder of Charleston 1819-23—Member of Congress 1825-33—died in Philadelphia May 24th, 1846 (O'Neill).

William Loughton Smith Esq.¹⁰ sometime Minister of the United States at the Court of Portugal, then deposed that he had known in Lisbon in 1797 the Duke of Luxembourg, who had frequently spoken to him in reference to this claim and had wished him to take from him a power of attorney: that the Duke had stated that, if the delay in collecting was on account of the largeness of the debt, he would be then satisfied to have it liquidated and to receive only the interest; that the Portuguese Minister to the United States had received from the Duke a power of attorney and had conferred with Col. Pickering about it. Letters were produced from Mr. Pickering to Mr. Thomas Parker,¹¹ U. S. District Attorney, dated 21st November, 1797, and 5th January, 1799; also one to Mr. Crafts dated 21st March, 1800, all claiming this debt in behalf of the Duke. Also there were produced affidavits showing the death of the Prince, a bachelor and intestate; that his heirs were his brother, the Duke of Luxembourg, and his sister, Madame de Seran, who had been driven from France during the Revolution, and were residing in straitened circumstances; one in Portugal, the other in England. There was produced also a power of attorney from Charles Emanuel Sigismond de Montmorency Luxembourg, dated 4th October, 1805, reciting the death of the late Duke, and his own status as heir to the Prince. At this state of the proceedings Mr. Drayton asked and was granted an adjournment to allow of his procuring certain documents from France.

Between the dates of this adjournment and of the next hearing in the Probate Court the Assembly had taken great forward steps towards a settlement of the claims. By the act of 19th December, 1807, 224,000 livres with one year's interest, or the equivalent of \$45,226.66, were ordered to be paid to Mr. Chancoine, or his successor in office, or to a duly authorized agent of the French Government, being that

¹⁰William Loughton Smith—Student Middle temple, London, enrolled an attorney in Charleston 1784—Representative in Congress 1788-97—Minister to Portugal 1797—Minister to Spain 1800—died December, 1812. See So. Ca. Hist. and Gen. Mag., Vol. IV, p. 252.

¹¹Timothy Pickering—Colonel Continental Line—Postmaster General 1791-95—Secretary of War 1795—Secretary of State 1795-1800. Thomas Parker—U. S. District Attorney 1792-1821.

part of the Luxembourg debt claimed by the Imperial Decree of "18 Brumaire, an treize". The text of this decree is not before us, but we can readily suppose that the new Emperor, whose sceptre was a sword, and whose throne rested upon bayonets, must have made very clear his meaning. The same Appropriation Act of 1807 ordered to be paid to the lawful administrator of the Prince the balance due by the State of the sum liquidated by the resolution of March 11th and 21st, 1786, after deducting payments of £191.3/10 made on 17th December, 1788, and of £1,000 to John Browne Cutting, Administrator, and of \$45,226.66 therein directed to be paid to the French Government.

The Assembly further ordered the Attorney General to file a bill of interpleader in the Court of Equity, making defendants of all claiming in right of legionaries and others who had served on the frigate *South Carolina*. It also authorized the Comptroller General to pay such other legionaries or others on board said frigate, if satisfied of identity and authenticity. But on 17th December, 1808, the authorization to pay this balance to the administrator was repealed, which action may have been caused by the legal difficulties now to be described. By 4th March, 1808, both sides to the case in the Probate Court seem to have been reinforced by numerous documents from Europe and elsewhere, and the legal warfare flamed afresh. As proctor for Dauthereau, William Drayton had been replaced by John Geddes,¹² while for Crafts Timothy Ford again appeared.

The proceedings lasted intermittingly until 28th April. The petition of Dauthereau set forth the intestacy of the Prince and the renunciation of the inheritance by his brother and sister; also that various judgments obtained in France and this country made the legionaries, represented by him, the sole creditors. It set forth further that the administration formerly granted to Cutting was unauthorized by law, and that the later administration granted to Crafts had been obtained by surprise; that, in face of the renunciation by the Duke, his son had no better status than the father, and yet in this behalf Mr. Crafts claimed the administration. Fur-

¹²John Geddes—Governor of South Carolina 1818-20.

ther the petitioner claimed that the estate had not been administered according to law; that money received by Mr. Cutting had been squandered or applied to his private use; that Mr. Crafts had taken no steps to recover from Cutting, for whom he (Crafts) was liable as security, and that no account of that sum had been rendered to the Ordinary.

Mr. Ford read the answer of Crafts, which denied that the brother and sister of the Prince had ever *freely* renounced their inheritance in France, but asserted that in any case such renunciation only applied to property in France and not to money due from South Carolina. The answer then set forth the exile of the family and the severe penalties to which the exiles were subjected, especially that of confiscation of property, and also the very heavy penalties that would have been incurred by a return to France. It further recited the constant efforts made by the Duke to obtain the money due by the State, and called attention to the fact that this claim of a renunciation had never been set up in this country until after the death of the Duke in 1803; further that his son had become reconciled to the French government, and had been permitted to reside in Paris, and before the tribunals there had taken out administration of the estate of the Prince, and on records of said tribunals had been styled his heir. In regard to the question of maladministration, the respondent submitted that it was not a subject of trial in this form or before this Court, yet answering said that the money paid Cutting was paid by special order of the Legislature at the treasury, where he had given special security by virtue of the order, and that over this matter only the Legislature had control; and further that a suit was now pending in the Federal Court in the name of Cutting to recover a large sum.

It is needless to list here the many documents and exemplifications filed by the contesting proctors, though of great interest. Among them were judgments in Paris against the Prince in 1788 and 1789 in favor of the 1st, 2nd, and 3rd classes of legionaries for prize money, and in confirmation thereof also against the curator of his estate appointed under said proceedings in 1790 after his death; also three

judgments in the Circuit Court of the United States against Crafts, Administrator, in favor of the legionary creditors:

1st, at the suit of Duhamel and Betancourt.....	\$92,703
2nd, of Duhamel	\$58,855
3rd, of Dauthereau, Dussaux and Oger.....	\$34,385
all under resolve of Assembly 15th December, 1802.	

Also among them was a letter from M. Marbois to M. Pichon, Commissary of the Commercial Relations in America, dated 13th December, 1804, covering the decree of Bonaparte 9th November, 1804, by which on payment of 224,000 livres the French Government would withdraw all opposition to the payments by the treasury to the marines of the *South Carolina*.

The grounds on which Mr. Geddes asked revocation of the administration were two-fold and well deserve mention. The first was that the administration granted to Cutting was unlawful in that the Prince had no residence in this State; that the Prince did not die in this State; that he had no personal property in this State, for which an administration could be granted; that there was no liquidated debt here; that the inventory and the Gillon treaty were in the trunk of the Prince, who had died in Switzerland; that administration could only be granted where the specialty was, or where the intestate died; and that the case could not be altered even though the debt might have been liquidated in the Prince's lifetime; that Cutting's administration was therefore illegal, and that of Crafts no less so. To Mr. Ford's contention that the present applicant (Dauthereau) had recognized the present administrator by bringing suits against him, Mr. Geddes replied that these suits were by direction of the Legislature, in order that creditors might substantiate themselves as such. Mr. Geddes further maintained that, even if the granting of this administration were possible in South Carolina, it should have been granted in Columbia and not in Charleston. Mr. Geddes' argument under this first ground was long and ingenious, and was largely based on the death of the Prince in a foreign coun-

try. But his conclusions were incisively swept aside by the Ordinary, who declared that under the law he had the power disputed by Mr. Geddes, and that so mischievous a doctrine would unhinge every administration of a party dying abroad; that he had always exercised this authority and would continue to do so.

Mr. Geddes then stated his second ground. He argued that the administration to Cutting had been granted unknown to present creditors and by surprise; that the grant of an administration to Crafts was also by surprise, and that the Ordinary could revoke same if shown that it was granted through surprise or misrepresentation. He then submitted that there had been maladministration on the part of Mr. Cutting, and that Mr. Crafts had made no return any more than Mr. Cutting had. Mr. Geddes made the further point that Crafts was a surety on the administration bond of Mr. Cutting, and was therefore responsible for his maladministration. To this Mr. Crafts' reply was that given in his answer, quoted above. The Ordinary in his decision gave a learned disquisition on "surprise" and then said that this administration had been granted thirteen years before, and that, as far back as 14th December, 1803, the Legislature had been passing resolutions respecting Mr. Dauthereau; that in all this time there had been no suggestion of surprise and that it was now too late; that, besides, there had been filed a caveat, and upon this there had been a debate; that this case was one of discretion and election, and that he was of opinion that he had no right, at the instance of the creditors, to revoke the administration granted to Mr. Crafts. With this decision by the Ordinary matters seem to have rested in this Court until 1813.

On 24th November, 1813, William Wightman, jeweller, of Charleston, qualified as administrator of the effects of Anne Paul Emanuel Sigismond de Montmorency Luxembourg, late of Paris, gentleman, deceased. William Crafts had some time before come into Court and surrendered his letters of administration in favor of Mr. Elnathan Haskell.²³

²³Elnathan Haskell—Major Continental Line of Mass.—served from 1776 to 1784. He settled in South Carolina on the disbandment of the army.

who had declined qualifying in favor of Mr. Wightman. Mr. Wightman's sureties were George Keith and John M. Ehrick, and the value of the estate was stated not to exceed \$25,000.

The Appropriation Act for 1814 directed the Treasurer of the lower division to issue to William Wightman, as legal administrator of the Prince of Luxembourg, \$28,894.50 in stock of this State at six per cent, upon receiving a full discharge of all claims against the State. The frightful destruction or loss of public records during the Confederate War must account for the fact that neither the final return of the administrator nor his discharge are on file in the Probate Court. The same fate befell the records of the Circuit Court of the United States, but an old index-book now in the Clerk's office shows, under date of 1810, three judgments still unsatisfied against William Crafts, administrator, in favor of creditors of the Prince. Whether this money ultimately found its way to the Duke or to Dauthereau and his friends must be settled by other evidences, but later allusions to it would seem to indicate that it was paid over to the Duke.

The authorities of the State seem to have made at no time denial of their responsibilities, but to have constantly desired only to ascertain who were the proper claimants. The extraordinary network of litigation; the interposition by the new republican government of France of a direct conflicting claim, not made by its predecessor, the King's government; the curious effect of the confiscation of the property of emigrant noblemen, while the French Courts were recording judgments for prior debts against them; the setting up of these judgments in South Carolina as liens; all of these facts can readily explain much of the delay in the adjustment of these two claims: 1st, that for the loss of the ship; 2nd, that of the Prince for prize-money and other matters. The claims of the legionaries come under a third head. It would seem clear that only those legionaries had direct claims against the State who had actually served on board of the *South Carolina*. In the records of the case these are designated as Class I. Class II, or the "India divis-

ion" (whatever that might mean), could have claims against the Prince, but not against the State, and the same seems true of Class III, or those lost to the service by the unfortunate invasion of Jersey."

Two documents give us succinctly the history of the claims made on the State by the legionaries of Class I. The first of these is a letter to Governor Adams, under date of 25th November, 1853, from the Count de Choiseul, French Consul in Charleston. He refers the Governor to the proceedings of the Legislature in 1824, following a communication from the French Chargé des Affaires in Washington, from which it appeared that all other claimants in the case had been paid; the Prince, the American seamen, the French government, all except the French seamen. He especially referred to the report of the Comptroller General in 1804, and to that of a committee in 1807. He recited that in 1819 a committee of the House had reported that frauds and irregularities in obtaining decrees in favor of certain individuals had made it advisable to pay no more of these claims; that thereupon the claimants had appealed to their own government; and that in 1824 it had been proposed to the State to transfer to that government for investigation by French Courts the funds remaining due to legionaries; that this had been declined by the Assembly on the ground that the evidence in relation to these claims had been brought to this country, where the claims had been prosecuted. In renewing the application for the transfer of the funds the Consul reminded the State that similar claims were at that time urged against France in behalf of citizens of the United States and paid by France into the United States Treasury, "in the benefit of which it is believed the citizens of South Carolina largely participated". This naive allusion to the French Spoilation Claims will undoubtedly be read with a grim smile by many now living in South Carolina."

¹⁴As to invasion of Jersey see So. Ca. Hist. and Gen. Mag., Vol. IX, p. 202.

¹⁵These claims originated in the French aggressions on American commerce in 1793, 1794, and 1795, and, by the treaty with France of 30th September, 1800, the United States Government for a full consideration contracted to pay the claimants. By Secretary Pickens in 1797 the claims were estimated to exceed twenty millions. They were

The second document is the report of a joint-committee of the Legislature, submitted in December, 1850, signed by Messrs. A. Mazyck and William D. Porter of the Senate, and by Edward Frost and Isaac W. Hayne of the House.¹⁶ This recited that in obedience to a resolution of the Legislature of December, 1802, the Comptroller General, Mr. Paul Hamilton,¹⁷ had in 1803 presented a statement showing the names of the legionaries who had served as marines on board the frigate, and the sums to which each was entitled as pay and prize money, which sums aggregated £1,867.15/1; that on 14th December, 1803, the Legislature had ordered these marines to be paid, provided they had not deserted before the capture of the ship, and provided also that on a feigned issue in the Common Pleas it was proved that the persons claiming were authorized to receive the payments; that on 25th June, 1805, the sums due twenty-five of the said legionaries had been paid to their attorney, John F. De Lorme; that it was quite certain that none other of them had been paid; that from general statements in the reports of the Comptroller General for 1808-09-10, and 1811 it would appear that payments had been made to some of the legionaries in each of those years; but that it was clear that these payments had been made to other persons, who had served as officers and seamen on the frigate, and that these had been inadvertently confounded with legionaries; that deducting the principal due those who were paid off in 1804, viz., £233.3/0, from £1,367.15/1 (the amount reported in 1803 as due) the balance unpaid was £1,134.12/1, equal to \$4,684.02; that those paid in 1804 had been allowed interest at the rate of seven per cent. to which they were undoubtedly entitled, because until December, 1803, no arrangement had

again and again reported on in Congress as perfectly just in principle. Between 1885 and 1887 claimants were allowed to sue in the Court of Claims, but the loss of their proofs by the lapse of time and by the ravages of the Confederate War left to many claimants in South Carolina only a justifiable sense of injury.

¹⁶A. Mazyck—Senator from St. James, Santee. William D. Porter—President of Senate 1858-66. Lieut-Governor 1866. Edward Frost—1801-68. U. S. District Attorney 1830. Law Judge 1843-53. Isaac W. Hayne—1809-80. Attorney General 1848-68.

¹⁷Paul Hamilton—Governor So. Ca. 1804-06.—Comptroller 1799-1804.—U. S. Secretary of the Navy 1809-13.

been made for paying them; that in December, 1804, the French Government had interposed a claim, which had prevented further payments until 1807, when that claim had been settled; that from that time until December, 1819, any might have obtained payment by making application and showing themselves entitled, but that the authority given to the Comptroller General had been revoked in consequence of the frauds and falsehood of one Asa Delozier, claiming to be the attorney of some of the legionaries.

Therefore the committee, in consideration of the distance and the difficulties in the way of men who were poor and obscure, trying each to collect a small sum, recommended that the sum be placed for distribution in the possession of the government of the claimants, putting the amount at \$27,635.71, provided the interest was to be calculated at seven per cent., and at \$21,078.02 if same were allowed at five per cent.

On 15th December, 1854, the Senate resolved that the Comptroller General be authorized to pay over to the French Government \$27,635.71, and that he be instructed to furnish at the same time to that Government a list of names and amounts. The House, however, referred the report to the Committee on Claims, who in December, 1855, recommended payment of the principal and interest, preferring five per cent., the legal rate of France. The debate that followed was long and interesting. In it took part men whose names were later to be heard of in the great conflicts of war and reconstruction. Memminger and Trenholm were each to serve the Confederate States as Secretary of the Treasury, and Perry to act as provisional Governor under President Johnson's abortive attempt at reconstruction. In it were heard, too, John Izard Middleton and J. Harleston Read of Prince George, Winyaw; Nelson Mitchell, John Siegling, Jr., and James B. Campbell of St. Philip's and St. Michael's; George D. Tillman of Edgefield; Boyleston of Fairfield; Thomson of Abbeville; and Mullins of Marion.

It amuses one to learn that Dr. Johnson's book, the "Traditions of the Revolution", was given as authority for the assertion that these claims had already been paid by the

United States Government, which statement was promptly contradicted and disproved.

The argument as to whether justice required that the interest should be computed at the legal rate of South Carolina or of France was settled in favor of the higher rate. Also, in the argument it was stated by Mr. Campbell that it was of record that there had been paid into the treasury of the State \$115,000 for prizes taken by the frigate *South Carolina*.

The report of the committee was agreed to, and on 19th December the appropriation bill was amended so as to provide for the payment of \$27,635.70, with further interest on the principal sum of the debt from 15th December, 1854, to the agent of the French Government appointed to receive the same. This was the final action of the State in regard to what were known as the Luxembourg Claims.

But of course these various payments did not cover by any means the losses of the State resulting from this naval venture. The Assembly was for many years occupied in auditing and providing for the foreign war-debts of the State, and among them were included those incurred in France and Holland by the Commodore of the Navy. In the settlement of these foreign debts Gillon's stepson, Mr. John Splatt Cripps, had early been employed as the agent of the State, and we find him with William Crafts still serving in that capacity in 1797. Mr. Cripps continued to serve the State in this capacity for a considerably longer period. Apparently, too, the affairs of the frigate figured in the final settlement between the State and Federal government. These accounts might all possibly be reconstructed by a diligent search among the records in the Capitol in Columbia and elsewhere, but the value of it would hardly be commensurate with the labor, and a partial statement would be misleading.

At the time of Gillon's death his account with the State was still unsettled, and had been complicated in a curious way with other matters growing out of the political conditions of the period. Under the confiscation acts of 1782 the commissioners had sold many tracts of land, and among the buyers had been Gillon. The treaty of peace with Great

Britain had affected the titles to many of these lands, and in many cases the purchasers were looking to the State for relief. At the time of Gillon's death in 1794 a chancery suit was pending between Gillon and the State. In this case the complainants were the commissioners of public accounts, Arnoldus Vanderhorst and John Lewis Gervais, for whom appeared the Attorney General, Mr. John Julius Pringle,³⁸ assisted by Mr. John Bee Holmes. For Gillon appeared Messrs. Moultrie, Hall, Pinckney, Rutledge and Harper.

The status of this case, when Gillon left South Carolina to take his seat in Congress for the last time, may be best shown by inserting here his letter to Governor Moultrie, which appeared in the *City Gazette and Daily Advertiser* of 24th April, 1794. It reads as follows:

Dear Sir,

As I am about to depart this State, to comply with the desire of my constituents, of taking my seat in the federal house of representatives, now met in Philadelphia, I conceive it a duty I owe to you as chief magistrate of this state to acquaint you in what state the suit between the public and myself is; that, if you deem it necessary, you will be pleased to lay the same before both houses of the legislature, at their next meeting in Columbia, at as early a period as may be convenient.

Having filed a full reply to the bill urged by the commissioners of public accounts, which, with the official documents attending it, clearly refutes every charge of errors, the case was attended to at the last term of the court of equity, and a partial decree took place thereon as per copy herewith offered. The first part I have complied with, and have consulted my referee, Mr. William Crafts, on the latter part, who has received my general account, with vouchers, and is of opinion my presence is not necessary; particularly, as the case cannot be finally determined on until the next term, in the month of June. I am the more confident in the propriety of my attending to my federal duty, from the certainty that, even after allowing credit for whatever the commissioners on public accounts have been pleased to debit me with in their last account, the State is greatly indebted to me for *large sums advanced in specie* during the last war, and for property sold me by the commissioners of confiscated estates, which the public cannot support their titles to, and of course must be returned to them, and they accordingly deduct the same from the debits against me, which amounts to upwards of fifteen thousand pounds; therefore no injury can arise to the public by my short absence; for should it even be possible, that the public can make good their titles for the lands in dispute, and not admit any deductions, or that any accidental errors (altho' I know of none) may cause a balance in favor of the public,

³⁸Arnoldus Vanderhorst—Governor of South Carolina 1792-94. John Lewis Gervais—Continental Congress 1782-3. John Julius Pringle—Speaker of the House S. C. 1787-9—Attorney General S. C. 1792-1808—U. S. District Attorney 1789.

I shall be at all times prepared to pay the same, at the discount of five for one, conformably to the law passed for the relief of John Lewis Gervais, and others indebted to the public for purchases payable in indents, or to pay the same in indents of the state.

In this state of the case, I dare to flatter myself that, so far from the legislature again interfering in what was, and still is pending in the proper court of decision, they will expunge from their journals the resolution of the fourth of December last, passed in the house of representatives before I had the least intimation thereof.

The gentlemen who are members of both houses, and who have perused the documents I have produced—*documents not of a private nature*, BUT PROOFS, produced out of the treasury of this State, and from the federal settlements with this State by the commissioners—will, I trust, explain and advocate them.

In that assurance, and relying on the wisdom and justice of the legislature, I attend to my federal duty; and have the honor to be, with every respect

Your excellency's most obedient

Humble servant

A. Gillon.

Charleston, 15 April, 1794.

The appended document was not a "partial decree," but an interlocutory order that Gillon should produce and deposit with the Register in Equity his "original portage bill book," of the *South Carolina*, his vouchers and all indents issued to him by the Treasurer, and that all accounts between him and the State should be referred to the Master in Equity, assisted as auditors by Mr. John Dawson, by Mr. William Crafts, and by Mr. Edward Darrell, nominated by the Attorney General, by Gillon, and by the Court respectively. A certificate that Gillon had complied with this order was also published.

The progress of this suit seems to have been delayed by the death of the defendant in October of the same year, for it is mentioned in 1795 in the report of the Commissioners to settle accounts, signed by John Lewis Gervais, that the suit against the late Commodore Gillon had been renewed as soon as the law permitted, and was expected to come on at the next term. But not until November, 1801, did the Comptroller General report that this "interesting suit" had been decided and a decree given in favor of the State for the indents lodged with the Master and for a further sum of \$42,571.00 in specie, which he feared could not be recovered on account of the insolvency of the estate and the numerous prior judgments. Apparently the offsets claimed by Gillon were many of them not allowed.

It may be well to tell briefly here what befell Capt. Joyner on his return home from captivity. After the capture of the *South Carolina* Captain Joyner was held a prisoner in New York, and was released upon the "cessation of arms". The *Gazette* of 10th May, 1783, mentions his arrival in Charles Town on a "flag vessel" from New York. He, too, had to meet the judgment of his country, for, on 10th March, 1784, the Legislature passed an ordinance, amended on 26th, which authorized and instructed a board of officers, who had served during the war in the Navy of the State, to sit as a Court-martial to inquire into the loss of the frigate *South Carolina*, and the conduct of Capt. Joyner. These officers were Captains Robert Cochran, Stephen Seymour, William Hall, Jacob Milligan, John Hatter, Simon Tufts, Charles Crowley and Lieut. John Mayrant.

Each of these had done good service, and the name of each finds again and again honorable mention in the naval annals of the war. Cochran had early been employed on a mission to the northern colonies to enlist seamen for the projected navy. His services in June, 1776, had been found valuable by Gen. Charles Lee, who described him as "a very active man". Later in the same year he sailed to France in command of the *Notre Dame*. In 1780 he became a prisoner at the fall of Charles Town and was sent to St. Augustine. Stephen Seymour commenced his service at the very outbreak and in 1776-77 commanded the *Rattlesnake*, which in 1779, under Frisbie, after a gallant combat in the Stono, was fired and deserted by her crew. We find him also in command of the *Notre Dame* in 1777. The names of William Hall and the brigantine-of-war *Notre Dame* can never be spoken or heard in South Carolina without enthusiasm, for the services of each were continuous and notable. In the action with the British frigate *Yarmouth*, in 1778, the *Notre Dame* lay across the stern of the enemy when Captain Biddle and the entire crew of the Continental frigate *Randolph* perished in the explosion that destroyed the ship. This glorious *Notre Dame* was sunk with other ships in 1780 by the defenders of Charles Town for the purpose of blocking the channel of the Cooper against the passage of Arbuthnot's

fleet. Hall became a prisoner, and was sent with Cochran to St. Augustine. Jacob Milligan, as a lieutenant of the *Prosper* in 1776, boarded the frigate *Actaeon*, as she lay, burning and deserted by her crew, on the shoal where Fort Sumter now stands, and, firing her guns at the British fleet, he brought off her flag ere she blew up. John Hatter we find in the *Hope*, making a successful voyage to France in 1776. Captured on his return, he was carried into St. Augustine, and underwent a long imprisonment. Simon Tufts in the *Defence*, to cover the blocking of Hog Island Channel, engaged on 11th and 12th November, 1775, the British sloop-of-war *Tamar* and the *Cherokee*, firing the first shot of the war in South Carolina. Lieut. John Mayrant's name and fame are linked with those of John Paul Jones, with whom he served on the *Bonhomme Richard*, receiving a severe wound when the *Serapis* was boarded. At the recommendation of Jones he commanded the *Bonne Aventure*, a French privateer, in European waters. Later he served on the *South Carolina*, but must have left her before her capture.¹⁹

The proceedings of this Court may at some future time be brought to light, but at present we only know that by it Captain Joyner was honorably acquitted. In 1786 he was a member of the Legislature, and from time to time thereafter we find mention of his name in the affairs of the public.

¹⁹See Statutes at Large, Vol. 5, p. 715.

See also Garden's Anecdotes, Second Series, p. 103.

AMERICAN PRISONERS IN MILL PRISON AT
PLYMOUTH, IN 1782.

CAPTAIN JOHN GREEN'S LETTER.

[*Manuscript from the Laurens Collection.*]

Addressed : Henry Laurens Esq'.
Fleyder Street N°. 23
Westminster.

Mill Prison Plymouth Feb^r. 19th 1782.

Sir,

I had the honour of adressing you when you ware in the Tower of London early in the month of Nov^r. last, as many of my fellow prisoners heard you were in a poor state of health, and not treated with that humanity you merited, and the justness of your cause deserved; I am afear'd that letter never came to your hand, as we never heard anything respecting it; I do assure you we are rejoiced to hear of your enlargement, and hope you will, ere long, be restored to good health. We are now in this 590 prisoners, many of them natives of South Carolina, Farmers and Traders, some of which was taken at Charlestown & admitted to paroles, and soon after were put on board a Man of War and sent to this Country; many others sent from New York by order of Admiral Rodney, and several others taken at S^t. Eaustatia, they were put on board a Man of War & sent here, they have really suffer'd much on board the british Vessels in Coming to this place; but thank god they keep their spirits, we dont hear any news from our Country and are uneasy at our long captivity, many have been here, from, two, to five years; a Flying Report prevailed a few days past that doctor Franklin had made proposals to the Court of Great Britain to Exchange part of Lord Cornwallis's Troops for American prisoners now in Briton; I hope some thing will turn up which will be the means of Libera-

ting us; we are much Crowded in this place, tho' health, but much dread the Summer's heat; Several letters have been wrote to his Excellency Doct^r. Franklin, but are not so fortunate as to hear from him; you will oblige us much if you can give any encouragement of our being released—I have not the honour of being personally known to you perhaps you might recollect me; I Commanded the Continental Ship of War 'Queen of France' when she went from France to boston in 1777. Soon after obtained a lave of absence to make a Voyage in the service of the Merchⁿ.—Robert Morris Esq^r. furnished me with a new Ship bound for France, wherein I was taken; I had commanded for the house of Mess^{rs}. Willing and Morris, ever since ye year 1764. Excepting the time I had the honour to serve the United States of America—M^r. Ball shewed my your letter & gave me your Directions, M^r. Miles Saurey is really a good man, but he is at all times of his coming to spake or give us our donations, bearing letters, or do us anny service, treated with much disrespect; Should be glad something was done by you to let this gentlemen see us in presence of the Egent or Keeper, when his business leads him here, without being subject to Ill treatment; pray sir Excuse this long letter and for Intruding on your time and you will oblige Sir,

Your most respectfull Humble Serv^t.
Jn Green

Endorsed: Capt. John Green
19 Feby 1782

Rec^d. & answered 26th
referred him to my Letter
of 23^d. to M^r. Ball, shall
know to morrow, if permitted
to visit the Prison, can
Illy afford the expense of
the Journey but that shall
be no Bar &c.

List of the American Prisoners in Mill Prison at Plymouth
&c. &c. continued, Viz.¹

Of Rhode Island.	
Name.	Rank or Station.
John Peck Rathburn	Captain
Josiah Haynes	Ditto
Ezekiel Durphy	Lieutenant
Thomas Bowen	Ditto
Luther Salisbury	Master
Christ' Phillips	Mariner
John Pearce	Ditto
John Hull	Ditto
William Crandall	D°.
William Springer	D°.
Walter Parker	D°.
Bristow Chatmus	D°.
Deane Oswell	D°.
Joseph Waddell	D°.
Riscombe Sandford	D°.
Jonathan Sheldon	D°.
John Chattern	D°.
Caleb Gilbert	D°.
Joseph Wilkinson	D°.
Timothy Child	D°.
Gideon Tanner	D°.
Of Connecticut.	
Robert M'Kowan	Master
Francis Butler	Ditto
Samuel Hubble	Mate
Joseph Bartram	Ditto
David Brookes	Mariner
James Billings	Ditto
Hardy Engsine	D°.
Tho°. Graversbock	D°.
Benjamin Ashby	D°.
David Veal	D°.

¹This list is apparently not complete; the first part of the MS. does not seem to be among the Laurens papers in this Collection.

Joseph Buell	Mariner
Joseph Clark	Ditto
Zach ⁿ . Bassett	D ^o .
George Lommas	D ^o .
Elnathan Minor	D ^o .
Thomas Edgar	D ^o .
John Haley	D ^o .
Calvin Haynes	D ^o .
Of New York.	
Theoph ^s . Ellsworth	Master
Archibald M'Neal	Mate
Joseph Jeffery	Mariner
John Sinclair	Ditto
James Coxeter	D ^o .
Nathaniel Miller	D ^o .
Nathan Howell	D ^o .
Nathan Miller	D ^o .
Benjamin Stakins	D ^o .
Of New Jersey.	
Thomas Hayes	Mariner
James Hunt	Ditto
Setvus Church	D ^o .
Jeremiah Church	D ^o .
John Sack	D ^o .
John Huston	D ^o .
John Maxfield	D ^o .
Henry Weaver	D ^o .
Of Pennsylvania.	
John Green	Captain
John Kemp	Ditto
Griffith Jones	Lieutenant
Alexander Tindall	Ditto
Nathan Simmons	D ^o .
Shubart Armitage	Lieut. Mariner
William Whitpain	Lieutenant
Thomas Justice	Ditto
Joseph Ashburn	Master
George Mitchell	Mate
Robert Burrridge	Ditto

Thomas Pemberton	Mate
William Downes	D°.
James Burney	Carpenter
..... Knox	D°.
John Claypool	D°.
Samuel Gilbert	Mariner
John Stuart	D°.
John Thomas	D°.
Alex'. Crawford	D°.
John Shairy	D°.
Nicholas Depoe	D°.
John Stephenson	D°.
Charles Laine	D°.
John Shaw	D°.
Hugh Forsyth	D°.
John Morton	D°.
Jacob Smith	D°.
Henry Wager	D°.
William Wild	D°.
George Dryerson	D°.
Dennis Delaney	D°.
James Bartlett	D°.
Jacob Statt	Mariner
Robert Wilson	D°.
Thomas Hooker	D°.
John Martin	D°.
John Allen	D°.
Joseph Alexander	D°.
John Spade	D°.
John Harman	D°.
Jacob Tryon	D°.
Edward Gibbons	D°.
John Cunningham	D°.
Nathaniel Smith	D°.
William M'Muller	D°.
Langhorne Jenny	D°.
William Duncan	D°.
John Jones	D°.
William Dunstan	D°.

Patrick Gallagher	Mariner
James Robertson	D°.
William Derrick	D°.
William Lawrence	D°.
William Lawrence J ^r	D°.
Nichols Calleday	D°.
Joseph Puney	D°.
George Moore	D°.
John Murray	D°.
William Kemp	D°.
John Langworthy	D°.
Nath ^w Brooks	D°.
Gilbert Stephenson	D°.
John Thompson	Midshipman
Fred ^s Molineux	Passenger
Sam ^l . Alexander	Lieutenant
Samuel Owens	Midshipman
Benjamin Broom	Mariner
Thomas Brookes	Ditto
Edward Porter	D°.
Ichabod Beaby	D°.
Of Maryland	
William Coward	Lieutenant
John Smith	D°.
Samuel Chawkey	Mate
William Harris	Mariner
William Vickers	D°.
Colin M'Mullen	D°.
Gassaway Pindle	D°.
Josiah Wheeler	D°.
James Pratt	D°.
Aaron Parrish	D°.
Virtus Sweat	D°.
Nevil ^s Walker	D°.
Nathan Vennom	D°.
Samuel Bluver	D°.
Stephen Watkins	D°.
William Mull	D°.
John Shrine	D°.

Philip Mitchell	Mariner
Nich ^r . McEnhener	D ^o .
Elisha Powell	D ^o .
James Glenn	D ^o .
Solomon Evans	Mariner
Thomas Shepherd	Ditto
Littleton Chilton	D ^o .
James Bompson	D ^o .
Charles Pickering	D ^o .
William Mason	D ^o .
Alex. Massey	D ^o .
William Miles	D ^o .
John Jenkinson	D ^o .
Isaac Townsend	D ^o .
Of Virginia.	
Thomas Tangle	Master
Francis Beck	Mate
Peter Aspenell	Gunner
Leaven White	Mariner
Sam ^l . Livingston	Ditto
George Poole	D ^o .
George Webland	D ^o .
John Jones	D ^o .
Anthony Tennable	D ^o .
John Cooper	D ^o .
John Keeton	D ^o .
Augustine Almon	D ^o .
Anth ^y . Bellamy	D ^o .
Richard Davis	D ^o .
Robert Jarvis	D ^o .
Thomas Bartlett	D ^o .
Francis Tuptman	D ^o .
Uriah Sutter	D ^o .
Joseph North	D ^o .
John Bourdeaux	D ^o .
John Baptist	D ^o .
Malachi Williamson	D ^o .
Rob ^t . Ellsey	D ^o .
John Connor	D ^o .

Abijah Buxton	Mariner
George Aspin	D°.
William Priss	Boy
Nich ^s Barkinson	Mariner
John Mackingham	D°.
Of North Carolina.	
Simon Alderson	Captain
William Throop	Mate
Simon Alderson	Mariner
Daniel Austen	Ditto
William Fuse	D°.
Shad ^h . Drew	D°.
Isaac Pharoah	D°.
Rob ^t Booth	D°.
Rich ^d . Kennedy	D°.
Miles Bembridge	D°.
Simon Howard	D°.
Will ^m . Kennedy	Boy
Henry Guy	Mariner
Ephraim Jones	D°.
George Stysen	D°.
John Morrison	D°.
Edward King	D°.
And ^r . Fullerton	D°.
William Turner	D°.
John Davis	D°.
Malachi Novice	D°.
Sheldon Jasper	D°.
David Vail	D°.
Thomas White	D°.
Of South Carolina.	
John Ashton	Lieutenant
Jacob Stobo	Ditto
William Pitts	Midshipman
Daniel Russell	Ditto
Thomas Ball	D°.
Paul Ripley	Gunner
Joseph Singletarry	Mariner
John Singletarry	Ditto

Daniel Duff	Lieut: Militia
William Steel	Private D°.
Andrew Wells	Ditto
James Vestals	D°.
Will ^m . M'Ihaney	D°.
James Markham	D°.
Hardy Wilkes	D°.
James Kennerly	D°.
Of Georgia.	
John Brown	Lieutenant

Endorsed by Henry Laurens:

List of American Prisoners

in Mill Prison

Recd 8th March 1782.

HISTORICAL NOTES.

A WOMAN'S LETTERS IN 1779 AND 1782.

The following letters written during Provost's expedition against Charleston, in 1779, will show the tribulations and dangers of a "Rebel" young lady during the Revolutionary war. The first letter was written while Provost's army was occupying St. Andrew's Parish. He had crossed to the east bank of the Ashley May 11th, 1779, advanced to the lines of Charleston, which only the approach of Genl Lincoln's army saved from capture, and on May 14 he retreated to the west bank. On June 20, 1779, a battle took place in Stono River, in which the Americans were repulsed, and soon afterwards Provost withdrew to Savannah.

[No. 1.]

'Many thanks my Dr. Sukey, for your kind inquiry's about me & still more thanks for acquainting me of your situation. We left Prince Williams the day after you parted with us. My Brother attempted bringing his Negroes with him, but we were obliged to leave them in Pon pon River, from whence they returned home; thear was a few put on board Mr. River's Schooner—which arrived safe in Charles-Town; Nancy & self have six among them, they went about the Town for their victuals. We have our two maids with us; Mariah is with the rest of our negroes at Oakatees, (I

¹The writer of these letters, Mary Lucia Bull, was great-granddaughter of Stephen Bull, the emigrant, "Caseeka of the Itawanas," and the grand-niece of the First Lieut Governor Bull. She was named after her grandmother, Mrs. Barnaby Bull, a daughter of the first Landgrave Edmond Bellenger. On the death of her brother, John

believe,) under the care of Mr. Flower & Mr. M. Garvey. It is impossible for me to describe to you what I felt, while the British Army was on this side Ashley-Ferry, we never went in to our beds at night, had Candles constantly burning & were alarmed at every noise that we heard. Mrs. Bull was plundered of some of her clothes, my Aunt Bellinger's Chamber door was burst open & a great many of her things taken, in short everybody in the House lost something except Nancy & myself. As soon as we saw them taking things about the House we went into our Chamber, had the window shut & stood against the door, (for it could not lock.) One Man came & turned the Brass but did not push against it hard enough to find out it was not lock'd. But, good Heavens, my Sukey, think what we must have suffered when a parcel of Indians came bolting into the House, as for my part, I expected nothing but death, & indeed, at that moment it was indifferent to me whether I lived or died, yet I could not bear the thought of being murder'd by the Savages. One of the British Colonels came to the House, we told him we were very uneasy about the Indians & common Soldiers, he was sorry they disturbed us, (he said), but we had better fee him to stay with us, for he had good spirits, cou'd sing a good Song & had a deal of chitty-chatty, Whether he said that to divert us, (for we were very dull) or whether he felt as little for our distress as he appeared to do, I will not undertake to say. You ask me what we intend doing—that is a question that I know not how to answer. I am as yet quite undetermined what to do. I wait for my brother's advice, who is at the Indian-Land.²

Bull, who had married the heiress of the Perry family, she inherited the estate of their family. She married Jacob Guerard. Among her many descendants is James Lowndes, Esquire, now of Washington, D. C., whose interest in this Society and in the Carolina Art Association and the Charleston Library Society has been more than well proved by the presentation of pamphlets, books and other valuable gifts.

²A part of Beaufort District—now County was for many years known as the "Indian Land."

Mrs. Kelsall (my brother informed me) has invited us to go to Georgia, but I see no possibility of our accepting his invitation. I am very glad to hear your Mamma has been so lucky, please remember us all kindly to her, if you have any opportunity of writing to her; I wish, my Sukey, I knew how to go & see you before you go to River-May, I would not mind your being at a Strangers, I believe I would jump up behind Isaac now, if Nancy would let me, but she wants to see you as much as I do, & she is so selfish she won't let me have the pleasure of seeing you alone.

And now, my Sukey, I must beg that you will not be uneasy about me, I am as happy as your absence and the times will permit me to be. Mrs. Bull, Nancy & Miss Polly Cameron desire to be remembered to you. I remain your unchangeable Friend,

Mary Lucia Bull.

P. S.—Mrs Garvey & Miss Cameron stay'd at Prince William's.

Miss Susanna Stoll.

[No. 2.]

Stoney Point, July 5, 1779.

My Dr Sukey: The desire you must have of seeing your mother makes me congratulate you on the prospect you have of returning home, but as I know not when we shall meet again, my spirits are quite sunken; when shall I enjoy the heart-felt satisfaction of seeing and conversing with my amiable friend? You desire me to continue to love you; your command is easily obey'd; yes my Sukey, as long as your Lucia is blessed with life and reason she will love you. Mrs. Bellinger has spent one day here since you left us. I agree with you in your opinion of that Lady; she is indeed an agreeable woman. I hope to see her after a while I am here, as she intends making some stay in Chas Town.

Please remember us all to your Mamma and Mrs Donnom.

Nancy desires her love to you. Mrs Bull and Miss M. Cameron also desire to be remembered to you.

Adieu, my dear Sukey; believe me to be your affectionate and unchangeable,

Mary Lucia Bull.

Miss Susanna Stoll,

Favored by Mr M. Garvey

[No. 3.]

Prince William, March 15, 1782.

My Dear Sukey: I am very sorry you had no paper to write to me; a letter at this time wou'd have given me infinite pleasure; I hope, my dear Sukey, the change in my situation will make no change in your regard for me; let me beg of you to treat me with the same affectionate freedom that you have ever done. Your heart I have found capable of love and friendship at the same time; pray imagine mine to be so, too; our sentiments were ever much alike. I wish to see you and your dear little Boy, I thought to have had that pleasure in a few days, but some British vessels being in the way will prevent my going up as soon as I expected.

Please present my respectful compliments to your mother: my compliments to Mr Garvey also and believe me to be yours most affectionately,

Mary Lucia Guerard.

Mrs Susanna Garvey.

Favored by Mrs. A. Garvey.

OBITUARY NOTICES OF REVOLUTIONARY SOLDIERS.

Departed this life on the 1st of June last, at his Plantation, (Cedar Field, Christ Church Parish,) in the Seventy-second year of his age, MR. THOMAS ALLAN, of a lin-

gering illness of nearly two years, which he bore with Christian fortitude and resignation to the will of his maker. He was a native of Gosport, England, but for sixty-one years, an inhabitant of Charleston and its vicinity. In the commencement of the Revolution he took up arms in the cause of his adopted country, and continued her defender throughout the arduous struggle, when Great Britain acknowledged her free and independent. He was one of the few who never took a British Protection, but rejected the idea with scorn, and to his end, a firm undeviating republican, and friend to Liberty. As a husband, parent, master, friend, and also a truly just and honest man, he can be placed amongst the first class of mankind. He has left a widow, six children, seven grand children and numerous friends and acquaintances, to bemoan his irreparable loss. He lived beloved and died lamented—(*City Gazette and Commercial Daily Advertiser*, July 18, 1827.)

Died—At the residence of Maj. Joseph Mickle, in Kershaw District, S. C., on the 8th inst., Mr. Samuel Breed, in the 78th year of his age. Mr. Breed enrolled himself among the patriots of '76 at an early age, and continued in the service of his country until May, 1780, when he was taken a prisoner at the surrender of fort Moultrie, and paroled with Major Eli Kershaw, and others to Camden, where he continued a citizen until within a few years. Having lost his wife and a numerous family, all except a grandson, he lived among his friends in the country, who will recollect the goodness of his heart, as well as his mild and amiable disposition.—(*City Gazette and Commercial Daily Advertiser*, Thursday, Nov. 16, 1826.)

Died, at Georgetown, Gen. Robert Conway, formerly of this city, a soldier of the Revolution, aged 70—interred with military honors.—(*City Gazette and Commercial Daily Advertiser*, Monday, December 8, 1823.)

